

Exhibit 10

Valery Rouet

October 13, 2015

London, UK

Page 1

1 UNITED STATES DISTRICT COURT

2 SOUTHERN DISTRICT OF NEW YORK

3 _____

4 :

5 US COMMODITY FUTURES TRADING : No:

6 COMMISSION : 13 Civ 1174 (VSB)

7 : ECF Case

8 Plaintiff :

9 :

10 -v- :

11 :

12 WILLIAM BYRNES, CHRISTOPHER :

13 CURTIN, THE NEW YORK :

14 MERCANTILE EXCHANGE INC and :

15 RON EIBSCHUTZ :

16 :

17 Defendants :

18 _____ :

19

20 Videotaped deposition of Ms Valery Rouet On

21 Tuesday, October 13th 2015. Commencing at 9.44

22 am. Taken at Skadden, Arps, Meagher & Flom (UK)

23 LLP, 40 Bank Street, Canary Wharf, London, E14

24 5DS, United Kingdom.

25 Reported by: Miss Pamela Henley

1 A P P E A R A N C E S

2

3 On behalf of the Plaintiff:

4 COMMODITY FUTURES TRADING COMMISSION

5 Division of Enforcement

6 140 Broadway

7 19th Floor

8 New York, NY 10005

9 Telephone: 646 746 7600

10 Email: pchudy@cftc.gov

11 BY: MR PATRYK CHUDY

12

13 COMMODITY FUTURES TRADING COMMISSION

14 Division of Enforcement

15 140 Broadway

16 19th Floor

17 New York, NY 10005

18 Telephone: 646 746 9767

19 Email: Pdaly@crfc.gov

20 BY: MR PATRICK F DALY

21

22

23

24

25

1 And Greg, which is Gregory, Mason, M-A-S-O-N.

2 Q. Ms Rouet, keeping focus on the same
3 period, November 2007 to May 2009, do you know an
4 individual by the name of William Byrnes?

5 A. Yes.

6 Q. And how did you know him?

7 A. He was a friend of Ron Eibschutz.

8 Q. Who was William Byrnes?

9 A. Excuse me.

10 Q. Where did William Byrnes work?

11 A. William Byrnes worked in NYMEX.

12 Q. And at this time period, in
13 November 2007 to May 2009, you knew that he worked
14 at NYMEX?

15 A. Yes. Maybe not from the beginning,
16 but I knew at some point, I cannot remember when.
17 I heard of...

18 Q. And what was his position at NYMEX?

19 MR HERSKOVITS: Objection, form.

20 A. I do not know.

21 BY MR CHUDY:

22 Q. Did you have any professional
23 interactions with Mr Byrnes while he was at NYMEX?

24 A. No, never.

25 Q. What about social interactions, did

1 he could find out who was trading that.

2 Q. I think you mentioned you had this
3 conversation with Nour Beyhum in the first year,
4 could you describe in more detail when in that
5 first year you had a conversation with
6 Nour Beyhum?

7 A. I do not remember when it was, like
8 how long it was that I was working with Nour. I
9 said the first year, maybe the first 6 months, but
10 I would not be -- whenever he could, the guys to
11 report.

12 Q. What report are you referring to?

13 A. Excuse me?

14 Q. What --

15 A. He called the CFTC to report that
16 someone had informations.

17 Q. -- let me take a step back and try
18 to unpack it in sequence. When you spoke to
19 Nour Beyhum about potential leaks of trade
20 information at NYMEX what, if anything, did
21 Nour Beyhum say to you?

22 MR HERSKOVITS: Objection,
23 foundation.

24 A. He was -- he could not understand
25 what I meant, so he had me repeat it, said, what

1 do you mean, and I said I had a co-worker, Ron,
2 who had a friend working at NYMEX and he would
3 find -- he would know some trades.

4 BY MR CHUDY:

5 Q. When you mentioned co-worker Ron,
6 who were you referring to?

7 A. Ron Eibschutz.

8 Q. And when you were referring to the
9 information that -- let me try again. When you
10 were referring to the friend that Ron Eibschutz
11 had who were you referring to?

12 A. Billy.

13 Q. And who was Billy again?

14 A. Billy Byrnes. William Byrnes.

15 Q. When you refer to the information
16 that Billy Byrnes can get to Ron Eibschutz what
17 were you referring to?

18 MR JACKOWSKI: Objection,
19 foundation.

20 MR HERSKOVITS: Joined.

21 A. The name of the clients. The name
22 of the trader, like the trader and the company.

23 BY MR CHUDY:

24 Q. Did you have any understanding of
25 whether Ron Eibschutz was permitted to get that

1 information from Billy Byrnes?

2 MR HERSKOVITS: Objection.

3 MR JACKOWSKI: Objection.

4 MS LAPE: Joined.

5 MR CHUDY: I will try to rephrase
6 it.

7 Q. What is your understanding of the
8 type of information that Billy Byrnes was
9 providing for Ron Eibschutz?

10 MR JACKOWSKI: Objection.

11 MR HERSKOVITS: Objection to form.

12 MS LAPE: Objection.

13 A. For me it was, of course, valuable
14 information.

15 BY MR CHUDY:

16 Q. I am sorry, say that again?

17 A. Valuable information. That with a
18 lot of value.

19 Q. What do you mean by valuable?

20 A. For any broker to know who trades
21 your product is a potential new client.

22 Q. And how did you know that
23 Billy Byrnes was providing information to
24 Ron Eibschutz?

25 MR JACKOWSKI: Objection, form.

1 A. No, because it was just different
2 names.

3 MR JACKOWSKI: Objection,
4 foundation.

5 BY MR CHUDY:

6 Q. Ms Rouet, you mentioned earlier
7 about a report of what is trading; do you recall
8 your testimony?

9 A. Yes.

10 Q. Was this a report generated by
11 someone at Parity?

12 A. No, it is from the exchange. The
13 day after you see what is trading because it is
14 cleared. So you just see that many options of,
15 for example, that many 50 puts traded, that many
16 calls traded. It is the report that is public
17 information.

18 Q. Do you recall what the report was
19 called?

20 A. It is NYMEX report I reckon.

21 Q. And this report that you are
22 referring to was publicly available, is that
23 correct?

24 A. Yes, the day after, for example,
25 for yesterday you will have the report this